

02/15/2006 12:53 FAX

001

RECEIVED
CENTRAL FAX CENTER

FEB 15 2006

FAX TRANSMISSION

DATE: February 15, 2006

PTO IDENTIFIER: Application Number 10/522252-Conf. #8812
Patent Number

Inventor: Florence Guimberteau et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: PATTON BOGGS LLP

Scott A. Chambers

PHONE: (703) 744-8000

Attorney Dkt. #: 022290.0123PTUS

PAGES (Including Cover Sheet): 12

CONTENTS: Transmittal (1 page)
Fee Transmittal (1 page)
One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)
Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States
Designated/Elected Office (DO/EO/US) (2 pages)
Response to Notification of Missing Requirements under 35 U.S.C. 371 (2 pages)
Combined Declaration and Power of Attorney (2 pages)
Payment by credit card. Form PTO-2038 is attached (1 page)
Charge \$250.00 to credit card
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (703) 744-8000 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

PATTON BOGGS LLP

8484 Westpark Drive, 9th Floor, McLean, Virginia 22102
Telephone: (703) 744-8000 Facsimile: (703) 744-8001

RECEIVED
CENTRAL FAX CENTER

FEB 15 2006

FAX TRANSMISSION**DATE:** February 15, 2006**PTO IDENTIFIER:** Application Number 10/522252-Conf. #8812
Patent Number**Inventor:** Florence Guimberteau et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** PATTON BOGGS LLP

Scott A. Chambers

PHONE: (703) 744-8000**Attorney Dkt. #:** 022290.0123PTUS**PAGES (Including Cover Sheet):** 6**CONTENTS:** Statement By Assignee to Establish Ownership (37 CFR 3.73(b)) (1 page)
Power of Attorney to Prosecute Applications Before the USPTO
Copy of Assignment Document (2 pages)
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (703) 744-8000 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

PATTON BOGGS LLP8484 Westpark Drive, 9th Floor, McLean, Virginia 22102
Telephone: (703) 744-8000 Facsimile: (703) 744-8001

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/522252

Attorney Docket No.: 022290.0123PTUS

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on February 15, 2006
Date

Stacey Gambrell
Signature

Stacey Gambrell

Typed or printed name of person signing Certificate

Registration Number, if applicable

(703) 744-8044

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Statement By Assignee to Establish Ownership (37 CFR 3.73(b)) (1 page)
Power of Attorney to Prosecute Applications Before the USPTO
Copy of Assignment Document (2 pages)

FEB 15 2006

PTO/SB/17 (12-04v2)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/09/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4918). FEE TRANSMITTAL For FY 2005		Complete if Known		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/522252-Conf. #8812	
		Filing Date	January 25, 2005	
		First Named Inventor	Florence Guimberteau	
		Examiner Name	Not Yet Assigned	
		Art Unit	N/A	
TOTAL AMOUNT OF PAYMENT (\$)		250.00	Attorney Docket No.	022290.0123PTUS

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☐ Deposit Account Deposit Account Number: 50-2228 Deposit Account Name: Patton Boggs LLP
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(a).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50	(round up to a whole number) x		

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 1251 Extension for response within first month	120.00
1051 Surcharge-Late oath or declaration	130.00

SUBMITTED BY		Registration No.	37,573	Telephone	(703) 744-8085
Signature		Attorney/Agent		Date	February 15, 2006
Name (Print/Type)	Scott A. Chambers				

02/17/2006 LLNDGRA 00000013 10522252

01 FC:1617

130.00 OP

RECEIVED
CENTRAL FAX CENTER

FEB 15 2006

PTO/SB/21 (09-04)


Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/522252-Conf. #8812
	Filing Date	January 25, 2005
	First Named Inventor	Florence Guimberteau
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages In This Submission	Attorney Docket Number	022290.0123PTUS

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Combined Declaration and Power of Attorney Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	PATTON BOGGS LLP		
Signature			
Printed name	Scott A. Chambers		
Date	February 15, 2006	Reg. No.	37,573



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/522,252	FIRST NAMED APPLICANT Florence Guimberteau	ATTY. DOCKET NO. 09471.0017
INTERNATIONAL APPLICATION NO. PCT/FR03/02382		
LA. FILING DATE 07/28/2003	PRIORITY DATE 07/26/2002	

22652
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

CONFIRMATION NO. 8812
371 FORMALITIES LETTER



OC000000017507697

Date Mailed: 11/23/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/25/2005
- Copy of the International Search Report filed on 01/25/2005
- Copy of IPE Report filed on 01/25/2005
- Preliminary Amendments filed on 01/25/2005
- Information Disclosure Statements filed on 01/25/2005
- Copy of references cited in ISR filed on 01/25/2005
- U.S. Basic National Fees filed on 01/25/2005
- Priority Documents filed on 01/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$-730 for a Large Entity:

- \$130 Surcharge.

(A previous payment of \$860 will be applied to the additional fees indicated above.)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,252	PCT/FR03/02382	09471.0017

FORM PCT/DO/EO/905 (371 Formalities Notice)

RECEIVED 007
CENTRAL FAX CENTER
FEB 15 2006

Docket No.: 022290.0123PTUS
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Florence Guimberteau et al.

Confirmation No.: 8812

Application No.: 10/522252

Art Unit: N/A

Filed: January 25, 2005

Examiner: Not Yet Assigned

For: ORAL PHARMACEUTICAL FORMULATION
IN THE FORM OF A PLURALITY OF
MICROCAPSULES FOR PROLONGED
RELEASE OF ACTIVE PRINCIPLE(S) WITH
LOW SOLUBILITY

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements mailed November 23, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney, a Petition for Extension of Time, and a copy of the Notice.

Please charge our Credit Card in the amount of \$250.00 covering the fee set forth in 37 CFR 1.17(a)(1) and 1.16(f). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper

Application No.: 10/522252


2

Docket No.: 022290.0123PTUS

hereafter filed in this application by this firm) to our Deposit Account No. 50-2228, under Order No. 022290.0123PTUS.

Dated: February 15, 2006

Respectfully submitted,

By 
Scott A. Chambers
Registration No.: 37,573
PATTON BOGGS LLP
8484 Westpark Drive, 9th Floor
McLean, Virginia 22102
(703) 744-8085
(703) 744-8001 (Fax)
Attorney for Applicant